

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

JUL 08 2020

Mark C. McCartt, Clerk  
U.S. DISTRICT COURT

#1 Robert Gene Downing

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-against-

#1 Tulsa Police Dept.

~~Federal~~

#2 Federal Bureau of Investigation

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)*

Complaint for Violation of Civil  
Rights

(Non-Prisoner Complaint)

Case No. **20 CV - 327 JED - FHM**

*(to be filled in by the Clerk's Office)*

Jury Trial: ☒ Yes ☐ No  
*(check one)*

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed *in forma pauperis*.

Fees PD

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Robert Gene Downing</u>
Street Address	<u>1617 E. Young St Apt 239</u>
City and County	<u>Fairfax, OK 74106</u>
State and Zip Code	<u>OK 74106</u>
Telephone Number	<u>918-972-8067</u>
E-mail Address	<u>sgd23@sbcglobal.net</u>

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name	<u>Fairfax Police Dept</u>
Job or Title (if known)	<u></u>
Street Address	<u>600 Civic Center</u>
City and County	<u>Fairfax, CO</u>
State and Zip Code	<u>OK 74103</u>
Telephone Number	<u>918-596-9222</u>
E-mail Address (if known)	<u></u>

☐ Individual capacity

☒ Official capacity
**Defendant No. 2**

Name	<u>Bureau</u>
Job or Title	<u>Federal Bureau of Investigation</u>

(if known)

Street Address

8023 E. 63rd Pl

City and County

Tulsa, Tulsa, OK

State and Zip Code

OK 74133

Telephone Number

918-664-3300

E-mail Address

(if known)

☐ Individual capacity

☒ Official capacity

Defendant No. 3

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

☐ Individual capacity

☐ Official capacity

Defendant No. 4

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

☐ Individual capacity

☐ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☒ Federal officials (a *Bivens* claim)  
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Right to due Process  
Cruel and unusual Punishment  
Right to confront Accuser

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

Right to due Process  
Cruel and unusual Punishment  
Right to confront Accuser

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Denying me access to stores  
busses and public transportation.

### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

The entire city of Tulsa, OK.  
New Town San Diego, CA  
A.k.a. Fort Dallas, TX

B. What date and approximate time did the events giving rise to your claim(s) occur?

Started in April 2016 and  
are continuing to this day.

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

The Federal Government and  
Local and State Police have  
been using government phones  
and other wireless technology  
to monitor and harass me.  
It's they keep infecting me  
with some type of rash.  
~~I stay~~

#### IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

The infrared lights and other the way these people manipulate the screens on the phones and monitors has distorted my vision. This infection is on my skin and I'm constantly running a fever.

#### V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I want these people to stop following me, monitoring me.  
10,000 Actual Damages  
\$11,000,000.00 Punitive Damages  
I discovered these people ~~standing~~ illegal procedure of following and tracking people thru wireless and biological technology.

#### VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 07/08, 2020

Signature of Plaintiff Robert Gene Downing

Printed Name of Plaintiff Robert Gene Downing

**B. For Attorneys**

Date of signing: 07/08, 2020

Signature of Attorney \_\_\_\_\_

Printed Name of Attorney \_\_\_\_\_

Bar Number \_\_\_\_\_

Name of Law Firm \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-mail Address \_\_\_\_\_